IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

-

WRIT PETITION NO : 13860 of 2005

Between:

Angara Achuuta Rama Rao S/o Mahalakshmi @ Tatabbai R/o Dwarapudi, Mandapeta Mandal, E.G. District

..... PETITIONER

AND

1. The Director General, Drugs & Copy Rights, Drugs Control Administration, Vengal Rao Nagar, Hyderabad

2. The Assistant Director, Regional Officer, Drugs Control Administration, Margana Rama Rao Street, D. No. 9-33-8, Ground Froor Rajahmundry, East Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, Order or direction, more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in not paying the rents regularly to the petitioner for the building bearing D. No. 9-33-8 (Ground Floor) Margani Ramarao Street, Rajahmundry as highly illegal, with a direction to the Respondents to pay the rental arrears of Rs.88, 011/- to the petitioner in respect of the building bearing D.No.9-33-8 (Ground Floor) Margani Ramarao Street, Rajahmundry occupied by the respondents before shifting the said office to the newly constructed building.

Counsel for the Petitioner: MR.M.V.S.SAI KUMAR

Counsel for the Respondents: GP FOR MEDICAL HEALTH & FAMI.WELFARE

The Court at the admission stage made the following:

ORDER:

This writ petition is filed by the petitioner claiming that he is the landlord of the premises, which is occupied by the respondents as tenants. He further claims that the respondents are due in a sum of Rs.88,011/- towards arrears of rent. Therefore, he sought for an appropriate direction.

The material papers filed by the petitioner himself show that he has already filed suits before the Principal Senior Civil Judge, Visakhapatnam for recovery of rents due to the petitioner. As the petitioner has already approached the Civil Court for recovery of arrears of rent, he is not entitled to file the present writ petition especially for recovery of arrears of rent. Hence, the writ petition is not maintainable in view of the suits already filed for the same relief.

Accordingly, the writ petition is dismissed as not maintainable. No costs.

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29.06.2005

VGB

To

1. The Director General, Drugs & Copy Rights, Drugs Control Administration, Vengal Rao Nagar, Hyderabad

2. The Assistant Director, Regional Officer, Drugs Control Administration, Margana Rama Rao Street, D. No. 9-33-8, Ground Floor Rajahmundry, East Godavari District.

3. 2CCs to the Government Pleader for Medical Health and Family Welfare, High Court Buildings, Hyderabad. (OUT)

4. 2CD copies.